

# Notice of Allowability

Application No.

09/580,141

Examiner

Kambiz Zand

Applicant(s)

KORI ET AL.

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/18/2004.
2. ☒ The allowed claim(s) is/are 7,8,25,32 and 33, now re-numbered as, claims 1-5.
3. ☒ The drawings filed on 05/30/2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
3. **Claims 1-6, 9-24, 26-31 and 34-42** have been cancelled.
4. **Claims 7, 8, 25, 32 and 33**, now re-numbered, as **claims 1-5** are pending.

### ***Response to Arguments***

5. Applicant's arguments filed 08/18/04 have been fully considered and they are persuasive.

### **Allowable Subject Matter**

6. **Claims 7, 8, 25, 32 and 33 are allowed.**
7. The following is an examiner's statement of reasons for allowance: Davis et al (6,611,607 B1) teach superimposing information as electronic watermark where the start and end portion of the content is embedded and when copying and

recording, it is based on the detection of the superimposed information that contains the start and the end of the content imposed or embedded in the signal and therefore creating a copy management procedures (see abstract; col. 4, lines 14-67; col.5-6, lines 60 where on lines 16-27 of col.6 refers to time of the content that means an start and an ending to the time of the content); Davis et al (6,611,607 B1) also teach embedding control information as electronic watermark information where the recording and copying is being done by detection of the superimposed control information on the signal (see col.5, lines 47-67; col.6, lines 1-15); adding identification information to the content information by watermarking and copying by detection of the identification information with respect to the corresponding information such as music (see col.6, lines 5-9 where the owner name may be embedded or col.5, lines 14-27 where the title of the content as an identification of the content may be used for watermarking); and the watermarking of the number of copy count is superimposed by watermarking (see col.6, lines 30-37); and where the updating of the copy control history is recorded (see col.6, lines 30-59); and where the identification information is a piece of music indicated by title (see col.5, lines 14-47). However Davis et al's system and method singly or in combination with other prior art are in contrast with specific steps of applicant's invention wherein information signal is further attached with information about copy permitted count of said each piece of information content; when recording said each piece of information content for the first time by said recording apparatus, said copy

Art Unit: 2132

permitted count extracted from said information signal is related with said identification information of said each piece of information content to be stored in said memory of said recording apparatus as said copy history information; and when both of said information indicative of the start of and said information indicative of the end of said copyright portion are determined from said electronic watermark information, said copy permitted count in said memory is decremented by one for the copied and recorded each piece of information content as recited in **independent claims 7, 25 and 32.**

**8. Dependent claims 8 and 33** as being dependent upon Independent claims 7 and 32 and having additional allowable features therein.

### **Conclusion**

9. Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "comments on statement of reasons for allowance."


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (703) 306-4169. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's

Art Unit: 2132

supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned as (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Kambiz Zand

09/22/04

  
GILBERTO BARRÓN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100